



Honorable Laurel E. Davis
United States Bankruptcy Judge



Entered on Docket
November 26, 2013

LARSON & ZIRZOW, LLC
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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
WESTERN FUNDING INCORPORATED,
Debtor.

Case No.: BK-S-13-17588-LED
Chapter 11
(Jointly Administered)

In re:
WESTERN FUNDING INC. OF NEVADA,
Debtor.

Case No.: BK-S-13-17586-LED
Chapter 11

In re:
GLOBAL TRACK GPS, LLC,
Debtor.

Case No.: BK-S-13-17589-LED
Chapter 11

ORDER: (i) APPROVING ADEQUACY OF DISCLOSURES IN DEBTORS' PROPOSED DISCLOSURE STATEMENT TO ACCOMPANY DEBTORS' JOINT PLAN OF REORGANIZATION; (ii) SETTING DEADLINES FOR BALLOTING AND OPPOSING CONFIRMATION OF DEBTORS' JOINT PLAN OF REORGANIZATION; (iii) APPROVING FORMS OF BALLOTS; (iv) SETTING A RECORD DATE FOR VOTING PURPOSES; AND (v) SETTING CONFIRMATION HEARING ON THE PLAN

Western Funding Incorporated, a California corporation, Western Funding Inc. of Nevada, a Nevada corporation, and Global Track GPS, LLC, a Delaware limited liability company (collectively, the "Debtors"), debtors and debtors-in-possession, by and through their counsel, the law firm of Larson & Zirzow, LLC, filed its *Motion for Order: (i) Approving Adequacy of Disclosures in Debtors' Proposed Disclosure Statement to Accompany Debtors'*

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1 *Joint Plan of Reorganization; (ii) Setting Deadlines for Balloting and Opposing Confirmation of*
 2 *Debtors' Joint Plan; (iii) Approving Form of Ballots; (iv) Setting a Record Date for Voting*
 3 *Purposes; and (v) Setting the Confirmation Hearing on the Plan* (as supplemented, the
 4 "Motion"),¹ [ECF No. 322], which requested approval of Debtors' proposed *Disclosure*
 5 *Statement to Accompany Debtors' Joint Plan of Reorganization* (the "Disclosure Statement"), as
 6 well as that the Court set related deadlines with regard to *Debtors' Joint Plan of Reorganization*
 7 (the "Plan"); the Court having held a hearing on November 25, 2013 at 3:00 p.m., with all
 8 appearances as noted on the record; and for good cause shown;

9 **IT IS HEREBY ORDERED:**

10 1. The Motion is GRANTED. Debtors' proposed Disclosure Statement, as
 11 modified, is approved pursuant to section 1125 of the Bankruptcy Code as containing adequate
 12 information.

13 2. Debtors are authorized and directed to distribute or cause to be distributed
 14 solicitation packages (the "Solicitation Packages") containing a copy of: (a) this Order; (b) the
 15 Confirmation Hearing Notice; and (c) either (i) a Ballot, together with a copy of the Disclosure
 16 Statement (together with the Plan attached thereto), or (ii) the Notice of Non-Voting Status, by
 17 no later than two (2) calendar days after entry of this Order (the "Solicitation Date").

18 3. Solicitation Packages, which shall include Ballots, shall be distributed to Holders,
 19 as of the Record Date, of Allowed Claims in Classes A2, A4, A5, B2, B4, C2, and C4, which
 20 Classes are designated as Impaired under the Plan and entitled to vote to accept or reject the
 21 Plan.

22 4. Solicitation Packages, which shall include the Notice of Non-Voting Status (and
 23 which shall exclude any Ballots), shall be distributed to Holders, as of the Record Date, of
 24 Claims and Interests in Classes A1, A3, A6, A7, B1, B3, B5, B6, C1, C3, C5 and C6, which
 25 Classes are not entitled to vote to accept or reject the Plan.

26 5. With respect to addresses from which notices of commencement of the Chapter

27 _____
 28 ¹ Capitalized terms not otherwise defined herein shall have the meanings set forth in the Motion.

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11 Cases have been returned by the United States Postal Service as undeliverable, Debtors are excused from distributing Solicitation Packages to those entities listed at such addresses unless Debtors receive written notice of accurate addresses for such entities, or accurate forwarding addresses from the United States Postal Service, before the Solicitation Date and the failure to distribute Solicitation Packages to such entities will not constitute inadequate notice of the Confirmation Hearing, the Voting Deadline (as defined below), or violation of Bankruptcy Rule 3017(d).

6. All Ballots must be properly executed, completed, and the original thereof shall be delivered to Debtors' counsel so as to be actually received by no later than December 17, 2013 at 5:00 p.m. (PST) (the "Voting Deadline").

7. Solely for purposes of voting to accept or reject the Plan and not for the purpose of the allowance of, or distribution on account of, a claim and without prejudice to the rights of Debtors in any other context, each claim entitled to vote to accept or reject the Plan shall be entitled to vote the amount of such claim as set forth in the Schedules, unless such Holder has timely filed a proof of claim, in which event such Holder would be entitled to vote the amount of such claim as set forth in such proof of claim.

8. The Confirmation Hearing will be held on December 20, 2013 at 9:30 a.m., and may be adjourned from time to time by the Court or Debtors without further notice to parties other than an announcement in Court at the Confirmation Hearing or any adjourned subsequent Confirmation Hearing and the Plan may be modified pursuant to section 1127 of the Bankruptcy Code prior to, during or as a result of the Confirmation Hearing, pursuant to the terms of the Plan.

9. Objections to confirmation of the Plan, if any, must be in writing; state the name and address of the objecting party and the amount and nature of the claim or interest of such party; state with particularity the basis and nature of any objection; and be filed, together with proof of service, with the Court no later than December 17, 2013 at 5:00 p.m. (PST). Objections to confirmation of the Plan not timely filed and served in the manner set forth herein shall not be considered and shall be overruled. All replies to any objections to confirmation and Debtors'

points and authorities in support of confirmation of the Plan must be filed with the Court by no later than December 19, 2013 at 12:00 p.m. (PST).

10. The ballot summary must be filed by Debtors on or before December 18, 2013.

11. Debtors are authorized to take or refrain from taking any action necessary or appropriate to implement the terms of and the relief granted in this Order without seeking further order of the Court. Debtors are authorized to make non-substantive changes to the Disclosure Statement, the Plan, and related documents without further order of the Court, including, without limitation, changes to correct typographical and grammatical errors and to make conforming changes among the Disclosure Statement, the Plan, and any other materials in the Solicitation Package prior to their distribution.

IT IS SO ORDERED.

Prepared and submitted by:

LARSON & ZIRZOW, LLC

By: /s/ Matthew C. Zirzow

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Las Vegas, Nevada 89101

Attorneys for Debtors

LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☒ The court has waived the requirement of approval under LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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